

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Odaine Stewart

Cr.: 13-050
PACTS Number: 64585

Name of Sentencing Judicial Officer: Honorable William H. Walls

Date of Original Sentence: 09/24/14

Original Offense: Conspiracy to import 500 grams of or more of cocaine into the United States.

Original Sentence: Three years probation, eleven months location monitoring, and cooperate with the immigration and customs enforcement.

Type of Supervision: Probation

Date Supervision Commenced: 09/24/1

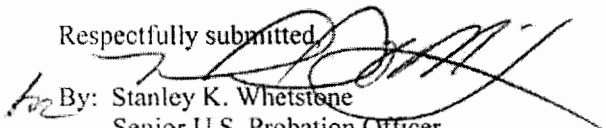
PETITIONING THE COURT

- [] To extend the term of supervision for Years, for a total term of Years.
[X] To modify the conditions of supervision as follows. The addition of the following special condition(s):

CAUSE

On February 2, 2015, a home visit was conducted at Mr. Stewart's residence. During the course of the visit his probation officer detected a faint smell of marijuana in the residence. The probation officer then instructed Mr. Stewart to report on February 5, 2015, to submit a urine sample. The offender reported but was unable to provide a sample because he was accompanied by his young daughter who could not be left alone. He was instructed to report back the next day, however failed to do so, because of his work schedule, and car engine issues. He reporting on February 9, 2015, as directed, and a urine sample was collected and tested positive for marijuana. Stewart was confronted at his place of employment on February 11, 2015, about the positive specimen with him initially denying any usage, but after further discussion he admitting his use. He stated the stress of financial problems brought on his negative behavior. The offender was then offered drug counseling, with him agreeing to participate, and signing a Form 49, Waiver of Hearing.

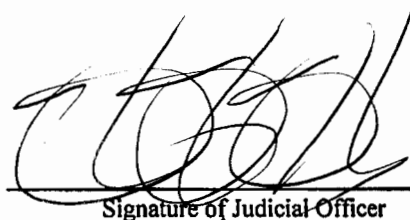
Respectfully submitted,


By: Stanley K. Whetstone
Senior U.S. Probation Officer

Date: 03/10/15

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
- ☐ The Extension of Supervision as Noted Above
- ☐ No Action
- ☐ Other



Signature of Judicial Officer



Date

PROB 49
(3/89)

United States District Court

District of New Jersey

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

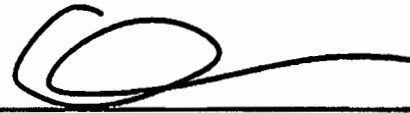
The defendant shall participate in an outpatient drug treatment program approved by the U.S. Probation Department. The defendant shall contribute to the costs of such treatment not to exceed an amount determined reasonable by the Probation Department's Sliding Scale for Substance Abuse Treatment Services, and shall cooperate in securing any applicable third party payment, such as insurance or Medicaid. The defendant shall disclose all financial information and documents to the U.S. Probation Department to assess his or her ability to pay. The defendant shall not consume any alcohol or other intoxicants during and after treatment/detoxification, unless granted a prescription by a licensed physician and proof of same is provided to the Probation Department. The defendant shall submit to testing during and after treatment to ensure abstinence from drugs and alcohol.

Witness

Javier Encinas

(U.S. Probation Officer)

Signed



(Probationer or Supervised Releasee)

02/11/2015

(Date)